

**DE 77-31 - December 5, 1977**

**Poll Watchers Designation  
Section 101.131, F.S.**

*To: Jane Carroll, Supervisor of Elections, Broward County Courthouse, Fort Lauderdale, Fl 33301*

*Prepared by: Division of Elections*

You have asked an opinion of this office in answer to the following question:

Effective January 1, 1978, who may designate poll watchers and whose authorized signature is required on the designation form filed with the supervisor?

The current law requires poll watchers to be designated in writing to the supervisor of elections at least five (5) days prior to any election. Section 101.131(2), F.S. (1975). The written designation must be signed by the chairman, vice chairman or secretary of a party executive committee, or by a candidate or authorized deputy of the candidate. Id.

Effective January 1, 1978, this law has been amended to delete the specification of the persons authorized to sign poll watchers designation forms. The privilege of naming the watchers is continued for "each party and each candidate . . ." Chapter 77-175, Section 13, Laws of Florida.

The deletion of the specific enumeration of those individuals authorized to sign poll watcher forms and the inclusion of the more general language that each party and candidate may designate in writing indicate a legislative intent to broaden the possible number of individuals who may designate watchers. Pursuant to this, the designation form developed by the Division of Elections provides for an authorized signature (See form DS-DE 36).

Therefore, the determination of whom is authorized to sign the designation form is in the discretion of the party and candidate. The best practice would be for the party designations be signed by the chairman and candidate or person designated by the candidate. To avoid confusion and uncertainty, the supervisor should require any party or candidate to notify the supervisor in writing those individuals, other than the chairman or candidate, authorized to sign the designations. This letter of authorization should be received prior to the receipt by the supervisor of signed designation forms.

**SUMMARY**

Poll watcher designation forms may be signed by any authorized representative of the party or candidate. The supervisor of elections should be notified in writing of such authorized persons if other than the party chairman or candidate.